

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ARIANA BURTON,

Case No. 2:24-cv-00782-MMD-MDC

14

**Plaintiff.**

## ORDER

ANA BURTON, et al..

## Defendants.

11 Before the Court is the Report and Recommendation (“R&R”) of United States  
12 Magistrate Judge Maximiliano D. Couvillier (ECF No. 3), recommending that the Court  
13 dismiss this action for *pro se* Plaintiff Ariana Burton’s failure to pay the filing fee or file an  
14 application to proceed *in forma pauperis* (“IFP application”) in compliance with the Court’s  
15 May 24, 2024 order (ECF No. 2). Plaintiff had until August 16, 2024 to file an objection.  
16 To date, no objection to the R&R has been filed. For this reason, and as explained below,  
17 the Court adopts the R&R in full and dismisses this action.

18 Because there is no objection, the Court need not conduct de novo review and is  
19 satisfied Judge Couvillier did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d  
20 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
21 recommendations is required if, but *only* if, one or both parties file objections to the  
22 findings and recommendations.”) (emphasis in original). Here, Judge Couvillier  
23 recommends dismissing this action because Plaintiff has failed to timely comply with the  
24 Court’s prior order to either pay the filing fee or submit an IFP application. (ECF No. 3 at  
25 1.) The Court agrees with Judge Couvillier. Having reviewed the R&R and the record in  
26 this case, the Court will adopt the R&R in full.

27 It is therefore ordered that Judge Couvillier's Report and Recommendation (ECF  
28 No. 3) is accepted and adopted in full.

1 It is further ordered that this action is dismissed without prejudice.  
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3 The Clerk of Court is directed to enter judgment accordingly and close this case.  
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5 DATED THIS 21<sup>st</sup> Day of August 2024.  
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6 MIRANDA M. DU  
7 CHIEF UNITED STATES DISTRICT JUDGE  
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